IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Navarre et al.**	) I hereby certify that this paper is being
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Serial No.: 10/767,411	) States Patent and Trademark Office, on
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	)
For: "System and Method for Executing a	)
Request from a Client Application"	) **October 6, 2010**
	)
Group Art Unit: 2169	)
	) **/Daniel J. Glitto/**
Examiner: Paul Kim	) Daniel J. Glitto

REPLY BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.41, the applicants submit this Reply Brief pursuant

to the Examiner's Answer issued on August 17, 2010, in connection with the above-identified

patent application.

I. Status of Claims

Currently, claims 1-20 are pending in this application. The examiner maintained the rejections of claims 1-20 in the Examiner's Answer. Claims 1-20 are rejected and form the subject matter of this appeal. The pending claims are presented in Appendix A to this brief.

II. Grounds of Rejection to be Reviewed on Appeal

The rejections of claims 1-4, 6-8, 10-14, 16-18, and 20 under 35 U.S.C. §103 as unpatentable over Cloud et al. (U.S. Patent No. 5,634,127) in view of Messenger et al. (U.S. Patent No. 5,051,947) and further in view of Velissaropoulous et al. (U.S. Patent No. 5,659,727) form grounds of rejection to be reviewed on appeal.

Additionally, the rejections of claims 5 and 15 under 35 U.S.C. §103 as unpatentable over Cloud et al. in view of Messenger et al., further in view of Velissaropoulous et al., and further view of Official Notice form grounds of rejection to be reviewed on appeal.

Additionally, the rejections of claims 9 and 19 under 35 U.S.C. § 103 as unpatentable over Cloud et al., in view of Messenger et al., in view of Velissaropoulous et al., and further in view of Ferguson et al. (U.S. Patent No. 5,819,092) form grounds of rejection to be reviewed on appeal.

III. **Argument**

A. Introduction

Independent claims 1, 10 and 20 recite a method, a system, and a computer-readable storage medium, respectively, in which applications process a set of data access transactions even when the applications do not recognize a first optional data item of the data access transactions.

As described in greater detail in the previously filed Appeal Brief (The Appeal Brief filed on July 28, 2010, pages 9-11), such a method, system, or computer-readable storage medium enables a communication network to be 'release independent' in that an update or modification, for example, of a first application in the communication network does not inhibit continued operation of the communication network without having to first correspondingly update or modify other applications of the communication network. This 'release independence' is provided by the other applications of the communication network processing data access transactions despite not recognizing, for example, one or more data items associated with the update or modification to the first application. While the other applications may eventually be updated or modified to include, for example, the unrecognized data item(s), the communication network can remain operational in the interim even when some applications receive unrecognized types of data items.

B. The §103 rejections of independent claims 1, 10 and 20 maintained in the Examiner's Answer are deficient

The examiner has maintained his assertion that Velissaropoulos et al. cures the admitted deficiencies of Cloud et al. and Messenger et al. In particular, the examiner reasserted the position that Velissaropoulos et al. describes applications that process a set of data access transactions even when the applications do not recognize a data item, as recited in claims 1, 10 and 20. However, Velissaropoulos et al. does not manage instances in which an

application does not <u>recognize</u> a data item and, therefore, cannot teach or suggest processing a set of data items even when a data item is not recognized.

   1.   Examiner's Arguments

In maintaining the rejections of claims 1, 10 and 20, the examiner replicates the arguments of the final Office on which the present appeal is based. In particular, the examiner argues that the Ignorable parameters of the Velissaropoulos et al. system "may be ignored by [a] receiver of a command if the receiver does not provide the support requested." (Examiner's Answer, pages 4 and 5). According to the examiner, the Ignorable parameters cure the deficiencies of Cloud et al. and Messenger et al. regarding their lack of a teaching or suggestion of applications that process a set of data access transactions even when the applications do not recognize a first optional data item of the data access transactions.

These arguments of the final Office action were supplemented in the Examiner's Answer with arguments regarding the distinction made in Velissaropoulos et al. between a "codepoint" and a "parameter." In particular, the examiner states that Velissaropoulos et al. "defines a 'codepoint' as an element which 'specifies the data representation of a dictionary class'" and that the Velissaropoulos et al. "defines a 'parameter' as an element which describes 'the objects that can be sent as parameters of the command.'" (Examiner's Answer, page 8). In view of these definitions, the examiner then implies that while the codepoints of Velissaropoulos et al. must be recognized by all receivers, the parameters are not required to be recognized by all receivers. (Examiner's Answer, page 8).

The Examiner's Answer demonstrates the examiner's misunderstanding of Velissaropoulos et al. that has permeated through the prosecution of the present application. In direct contradiction to the examiner's arguments that the parameters of Velissaropoulos et al. are not required to be recognized by all receivers, Velissaropoulos et al. explicitly states that "***parameter[s] must be recognized by all receivers.***" (Velissaropoulos et al., column 2,

line 67). Thus, in addition to the requirement of Velissaropoulos et al. that the ***codepoints must be recognizable*** by all receivers, the ***parameters must also be recognizable*** by all receivers. One would expect such an arrangement in a communication system because the parameters are part of the codepoints that correspond to commands. For the codepoints to be recognizable by all receivers, the receivers must also be capable of recognizing the parameters of the codepoints. Expectedly, Velissaropoulos et al. explicitly describes this requirement when describing the parameters.

The examiner confuses a lack of recognition of a data item with the ability to ignore a data item. A proper reading of Velissaropoulos et al. demonstrates that while the Ignorable parameters may be ignored by some receivers, the parameters ***must first be recognized by the receivers***. Without recognition of the parameters, the receivers cannot interpret the attribute of the parameter as 'ignorable.' In other words, as the receivers are required to recognize the Ignorable parameters (Velissaropoulos et al., column 2, line 67), the receivers first recognize a received parameter, interpret the parameter as 'ignorable' and then understand that the parameter can be ignored. Velissaropoulos et al. does not teach or suggest any operation of the receivers when a parameter is not recognized because such a circumstance is negated by the requirement for all parameters to be recognizable – even those that can be ignored. Consequently, Velissaropoulos et al. does not teach or suggest applications that process a set of data access transactions even when the applications do not recognize a first optional data item of the data access transactions, as recited in claims 1, 10 and 23. Accordingly, Velissaropoulos et al. cannot cure the admitted deficiencies of Cloud et al. and Messenger et al.

For at least these reasons, the reasons set forth in the Appeal Brief, and the reasons set forth throughout the prosecution of the present application, the applicants respectfully submit

that the §103 rejections of independent claims 1, 10 and 20, along with all claims dependent

thereon, must be withdrawn.

Conclusion

In view of the foregoing, the applicants respectfully submit that all pending claims are in condition for allowance.

The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount paid in connection with this paper or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455. In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendency of this case and is not otherwise requested in this case, the assignee requests that the Commissioner consider this paper to be a petition for an extension of time and authorizes the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to Deposit Account No. 50-2455.

Respectfully submitted,

Dated: October 6, 2010

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APPENDIX A

1.   (Rejected) A method comprising:

(a) transmitting a set of data access transactions to respective applications, wherein at least some of the set of data access transactions comprise a first optional data item, and wherein the respective applications process the set of data access transactions even when the respective applications do not recognize the first optional data item; and

(b) integrating the set of responses received from the respective applications.

2.   (Rejected) The method of claim 1 further comprising, before (a), receiving a request from a second application, the second application being different from the respective applications.

3.   (Rejected) The method of claim 2, wherein the request is transmitted by the second application in response to user initiation.

4.   (Rejected) The method of claim 2, wherein the request is transmitted by the second application in response to intelligent agent software initiation.

5.   (Rejected) The method of claim 2, wherein the request is transmitted by the second application using a web browser.

6.   (Rejected) The method of claim 2 further comprising automatically identifying the set of data access transactions from the request.

7.   (Rejected) The method of claim 1 further comprising returning the integrated set of responses to a second application, the second application being different from the respective applications.

8.   (Rejected) The method of claim 1 further comprising: receiving user identification information from a second application, the second application being different from the respective applications; and verifying the received user identification information by accessing a user profile database.

9.   (Rejected) The method of claim 1, further comprising computing a fee for using the respective applications by accessing a user profile database.

10.   (Rejected) A system comprising:

a plurality of applications; and

a processor in communication with the plurality of applications, the processor being operative to transmit a set of data access transactions to the respective applications and integrate a set of responses to the set of data access transactions from the respective applications;

wherein at least some of the set of data access transactions comprise a first optional data item, and wherein the plurality of applications are operative to process the set of data access transactions even when the plurality of applications do not recognize the first optional data item.

11.   (Rejected) The system of claim 10 further comprising a second application in communication with the processor, the second application being different from the plurality of applications.

12.   (Rejected) The system of claim 11, wherein the second application is operative to transmit a request to the processor.

13.   (Rejected) The system of claim 12, wherein the second application is operative to transmit the request in response to user initiation.

14.   (Rejected) The system of claim 12, wherein the second application is operative to transmit the request in response to intelligent agent software initiation.

15.   (Rejected) The system of claim 12, wherein the second application is operative to transmit the request in response to user interaction with a web browser.

16.   (Rejected) The system of claim 12, wherein the processor is further operative to automatically identify the set of data access transactions from the request.

17.   (Rejected) The system of claim 11, wherein the processor is further operative to return the integrated set of responses to the second application.

18.   (Rejected) The system of claim 10, wherein the processor is further operative to receive user identification information from a second application and verify the received user identification information by accessing a user profile database, the second application being different from the plurality of applications.

19.   (Rejected) The system of claim 10, wherein the processor is further operative to compute a fee for using the respective applications by accessing a user profile database.

20.   (Rejected) A computer-readable storage medium comprising a set of instructions to direct a processor to perform acts of:

transmitting a set of data access transactions to respective applications, wherein at least some of the set of data access transactions comprise a first optional data item, and wherein the respective applications process the set of data access transactions even when the respective applications do not recognize the first optional data item; and

integrating the set of responses received from the respective applications.